

HILLENSTEIN

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKHOP HOP PRODUCTIONS, INC.,  
and FALEENA HOPKINS,

Plaintiffs,

- against -

KEVIN KNEUPPER, TARA CRESCENT,  
and JENNIFER WATSON,

Defendants.

18 CV 4670  
Civil Action No.:ORDER TO SHOW CAUSE  
FOR PRELIMINARY  
INJUNCTION AND  
TEMPORARY RESTRAINING  
ORDER

DC SDNY

DOCUMENT

ELECTRONICALLY FILED

DC #:

DATE FILED: 5/25/18

THIS MATTER having come before the Court on May 25, 2015, upon Plaintiffs'

applications for entry of a Temporary Restraining Order and Preliminary Injunction, and the Court having carefully reviewed the Plaintiffs' submissions, including the Affidavit of Faleena Hopkins sworn to 25<sup>th</sup> day of May, 2018, the Declaration of Chris Card Ilo, Esq. made on the 25<sup>th</sup> day of May, 2018, the Memorandum of Law, the Complaint, verified on May 25, 2018, and all of its Exhibits annexed thereto, in regard to the following registered trademarks (hereinafter "Plaintiffs' Marks"):

Mark	Registration No.	Goods/Services
COCKY	5,447,836	Class 9: a series of downloadable e-books in the field of romance. Class 16: a series of books in the field of romance.
	5,458,137	Class 9: a series of downloadable e-books in the field of romance. Class 16: a series of books in the field of romance.

cocky		
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**IT IS HEREBY, ORDERED**, that the above-named Defendants show cause before a  
✓ motion term of this Court, at Room 140, United States Courthouse, 500 Pearl Street, in the  
✓ City, County and State of New York, on Friday June 1, at 2:00 o'clock in  
the PM noon thereof, or as soon thereafter as counsel may be heard, why an order should not  
be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure permanently enjoining  
and restraining defendants TARA CRESCENT (hereinafter "CRESCENT") and JENNIFER  
WATSON (hereinafter "WATSON") during the pendency of this action from promoting,  
advertising, selling, and/or distributing any works which infringe upon the Plaintiffs' Marks,  
including but not limited to the "Cocktales, The Cockiest Anthology" (hereinafter  
"Cocktales"), or any publications which include the Plaintiff's Marks, or any similar variations  
thereof meant to confuse the public, and it is

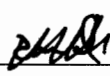
**ORDERED** that, Plaintiffs' Motion for Preliminary Injunction is GRANTED, ~~and it is~~

~~**ORDERED** that, each Defendant, its officers, directors, employees, agents, subsidiaries,~~  
distributors, and all persons in active concert or participation with any defendant having notice  
of this Order and hereby temporarily restrained: (1) from manufacturing, importing, advertising,  
promoting, offering to sell, selling, distributing, or transferring any products bearing the  
Plaintiffs' Marks or any similar trademarks, and (2) from secreting, concealing, destroying,  
selling, transferring, or otherwise disposing of: (i) any products, not manufactured or distributed  
by Plaintiffs, bearing the Plaintiffs' Marks, or any confusingly similar marks or trademarks, or

(ii) any evidence relating to the manufacture, importation, sale, offer for sale, distribution, or transfer of any products bearing the Plaintiffs' Marks, or any confusingly similar marks, and (3) each Defendant its officers, directors, employee, agents, subsidiaries, distributors, and all persons in active concert or participation with any defendant having notice of this Order shall immediately discontinue the use of the Plaintiffs' Marks, or any confusingly similar marks (registered or otherwise), on or in connection with any commerce, including but not limited to all internet based e-commerce, at any place, including but not limited to book sales web sites, operated and controlled by them, or by third parties, including but not limited to Amazon.com, and (4) each Defendant its officers, directors, employee, agents, subsidiaries, distributors, and all persons in active concert or participation with any defendant having notice of this Order shall immediately discontinue the publication, sale and distribution of products, including any books or ebooks, which bear the Plaintiffs' Marks, or any confusingly similar marks trademarks, and it is

**ORDERED** that defendant KEVIN KNEUPPER'S Petition for Cancellation before the Trademark Trial and Appeals Board concerning Plaintiffs Marks is stayed pending further order of this Court, and it is

**ORDERED** that a copy of this Order to Show Cause for a Preliminary Injunction ~~with Temporary Restraints~~, together with all supporting papers and Plaintiffs' Summons and Verified Complaint shall be served forthwith upon Defendants

*by overnight mail* 

and Plaintiffs are directed, in addition to these methods of service, to send forthwith the materials listed above, by email, to Defendants at any and all emails addresses known to be

associated with them; upon effecting service, Plaintiffs forthwith are to publicly file all such materials on the docket of this case; and to file a declaration attesting to the manner(s) by which service was affected, and it is

**ORDERED** that any opposing papers, if any, shall be served by

✓ Thursday May 31, 2018 at 12 noon,

along with electronic courtesy copies by email, on C. Cardillo, P.C., counsel for Plaintiffs by to

✓ overnight mail and email, and publicly filed on the docket of this case, and it is

**ORDERED** that any reply papers, if any, shall be served by hand, along with electronic

✓ courtesy copies by Friday June 1, 2018 at 10:00am, to Defendants or

✓ Defendants' counsel by overnight mail and email, and publicly filed on the docket of this case, and it is

**ORDERED** that Plaintiff need ~~not~~ post security, ~~or that security~~ in the amount of \$

✓ be posted by the plaintiff prior to Wed. May 30, at 5:00 o'clock in the

✓ noon of that day, ~~or that bond~~ in the amount of \$ 5,000.00 be posted by the plaintiff prior

✓ to \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon of that day.

**IT IS SO ORDERED:**

DATED: New York, New York  
May 25, 2018



United States District Judge

